

REMARKS

Reconsideration of the present application as amended is requested. Claims 1 and 11 have been amended to require that the diameter of the knockout be less than the diameter of the through bore of the cylindrical body portion. The basis for this amendment is found in the specification at page 5, paragraph 19. The diameter of knock out element 29 of Piskula is larger than the diameter of lumen 13a of the lower body portion 13. Accordingly, withdrawal of the anticipation rejections of Claims 1-4, 6-9, 11-13 and 15-17 over Piskula is requested.

Similarly, withdrawal of the obviousness rejection of Claims 9 and 18 over Piskula in view of Fell, Sr. is requested. Applicant does not concede that it would be obvious to combine these two references in the manner suggested by the examiner. Moreover, even if such a combination were made, the result would still not be a closet flange in which the diameter of the knockout is less than the diameter of the through bore of the cylindrical body portion.

Similarly, Applicant requests the withdrawal of the obviousness rejection of Claims 5, 10, 14 and 19 over Piskula. Piskula does not disclose or suggest a raised ring on the knockout for gripping with pliers to facilitate breaking away the knockout. Handle 29a of Piskula, which is a central upstanding post connected to the knock out element 29, is similar to the central post 31 disclosed in Applicant's specification and drawings. However, a separate raised ring allows considerably more breaking force to be exerted against the junction between the knockout 24 and the cylindrical body portion 16. The pattern of reinforcing ribs on the knockout set forth in Claims 10 and 19 is neither shown nor suggested by Piskula, and the examiner is challenged to supply a reference which shows or suggests this feature in the knockout of a toilet flange. Moreover, even if the features recited in Claims 5, 10, 14 and 19 would allegedly have been obvious in view of Piskula, which Applicant does not concede, the examiner's proposed modification of Piskula would still not result in the toilet flange of amended Claims 1 and 11, which require that the diameter of the knockout be less than the diameter of the through bore.

Moreover, independent Claims 1, 11 and 20 each require, as originally filed, a retainer that extends radially inward from an inner wall of the cylindrical portion. Piskula has no such structure, but rather, relies upon a construction in which knock out element 29 at the upper inlet of the upper body portion 12 has a diameter larger than the internal diameter of lumen 13a of lower body portion 13. Piskula has no retainer extending radially inward from the inner wall of lower body portion 13. Applicant's retainer advantageously forms a stop when a smaller diameter drain pipe is inserted into the cylindrical body of the closet flange to thereby prevent the butt end of the drain pipe and/or solvent from impairing removal of the knockout. Excess solvent could form a strong bond preventing breaking away of the knockout. If the butt end of the pipe were to rest against the underside of the knockout, it would form a support platform that would prevent hammering or breaking away of the junction between the knockout and the cylindrical body portion.

For the foregoing reasons, withdrawal of all of the prior art rejections is requested, and notification of the allowance of this case is solicited. No additional fee is due at this time.

Respectfully submitted,

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